

Message

**From:** Michael Wickman [Mike@iodincorporated.com]  
**Sent:** 6/25/2009 1:28:33 PM  
**To:** Bonnie Coffey [bonnie@cminfospec.com]; McDavid, Jan [Jan.McDavid@HealthPort.com]; dave jackson [wdavejackson@hotmail.com]  
**Subject:** FW: Budget Update  
**Importance:** High

FYI

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**From:** Michael Wickman  
**Sent:** Thursday, June 25, 2009 9:06 AM  
**To:** Cheryl Quimby; 'cathy.ptak@aurora.org'; 'clemery@weatrtrust.com'; 'Savagian, Barb'; beth.malchetske@thedacare.org; James Ranck; 'Laurie Schimek'; 'Sandy Schumacher - HIM'  
**Subject:** FW: Budget Update  
**Importance:** High

Good morning all...I talked to Eric Borgerding last night about 9:00 p.m. and things have gone from bad to worse. Seems the conference committee has decided to NOT to accept the changes that were adopted by the Senate and instead go with the original Motion #671 language. This totally absurd change in events changes our approach from partial veto to a full veto of the entire proposal. This is our only hope. Eric and I agree we all need to push hard for the Governor to VETO the entire provision. This is our change in strategy as we can no longer add language back into the Assembly's version. Please review the repercussions as Eric outlined below and inform your lobbyists and any other connections you might have available that can get word to the Governor's office and push him to veto this provision. We are contacting EPIC for assistance as they are a leader in EMR technology and a dominant player in Madison to partner in this battle. This is very devastating legislation that must be stopped by veto. Don't hesitate to call me if you have any questions. My direct line is 920-406-3706.

Good luck!

Mike

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**From:** Borgerding, Eric [mailto:EBorgerding@wha.org]  
**Sent:** Thursday, June 25, 2009 6:15 AM  
**To:** Michael Wickman; Lemery, Chrisann  
**Subject:** FW: Budget Update  
**Importance:** High

FYI

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**From:** Borgerding, Eric  
**Sent:** Thursday, June 25, 2009 6:13 AM  
**To:** Borgerding, Eric; Roller, Rachel; Maroney, Lisa; 'Aschenhurst Karla'; McNally, Maureen; Swiderski, Julie; Heifetz, Michael; Curran, Joan; 'Selberg'; Tyre, Scott; Westrick, Paul; Mettner, Michelle; Huggins, Melissa; Staff - Public Policy; Boudreau, Jenny; Childress, Jason; Walby, Katie; Elias, Nate; Schooff, Susie; Nemoir, Brian  
**Subject:** RE: Budget Update

We received word late yesterday that the conference committee is likely NOT to accept the changes to the copy fees provision that were adopted in the Senate and instead go with the Assembly's version. Assuming this is accurate, here's what it would mean..

- Copy fees will be set into statute and there will be no indexing to inflation (the Senate included indexing)

**EXHIBIT  
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HP0050483

- The definition of "patient representative" will be expanded to include attorneys, insurance companies, or anyone authorized by the patient to access their medical records, thus entitling the requester to receive copies at an even lower fee. (This provision was eliminated in Senate)

- Record requests must be filled within 21 days with penalties (the deadline was increased to 30 days by the Senate)
- Records that can be provided electronically must be done so, and at no cost.

If this is indeed what the conference committee adopts, **our veto strategy will change from a partial veto of certain portions to a veto of the entire proposal.** It will also mean that it is more important than ever to submit your own letter requesting a veto.

The conference committee resumes this morning and we expect to learn more today. Stay tuned and please be prepared to act swiftly with a veto request.

Eric

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**From:** Borgerding, Eric

**Sent:** Wednesday, June 24, 2009 1:15 PM

**To:** Borgerding, Eric; Roller, Rachel; Maroney, Lisa; Aschenhurst Karla; McNally, Maureen; Swiderski, Julie; Heifetz, Michael; Curran, Joan; Selberg; Tyre, Scott; Westrick, Paul; Mettner, Michelle; Huggins, Melissa; Staff - Public Policy; Boudreau, Jenny; Childress, Jason; Walby, Katie; Elias, Nate; Schooff, Susie

**Subject:** Budget Update

We are hearing that the conference committee will be created today and that it will meet tomorrow. We are also hearing there is a deal on the budget between the Senate and Assembly. **If this is accurate**, we are anticipating the budget bill will move quite rapidly to the Governor and are preparing accordingly.

It is unclear at this time if a separate bill on the FY09 hospital assessment will be necessary. If the FY09 assessment remains in the budget bill, then it is our understanding the Governor will need to sign the bill, with vetoes, by Monday. We have already had a number of discussions with the administration about vetoes to the copy fees provisions, but this latest news means we will have to act very quickly with respect to formal veto requests.

I have attached a slightly revised version of the copy fee document I sent yesterday. As there is no conference committee bill yet, at this time it is difficult to reference all the specific sections of the bill(s) that we would like vetoed. For now, I **encourage you to have a letter from your organization requesting vetoes prepared and ready to go, per the attached document.** Once we have a better handle on the conference committee report, it may be possible to include more detail for your letter, but that may not be necessary since WHA's letter will include an attachment with the specific requested vetoes indicated.

Please call me if you have any questions – 608-335-3949.

Thanks,

Eric

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**Subpoena Duces Tecum  
Document #12  
TPearson**

*Please support the revision or removal of Motion 671 from the Wisconsin budget being brought forth by Senator Dave Hansen.*

*(ENTER YOUR FACILITY'S NAME) is a major provider of health care in your district, and we believe in doing the right thing for our patients and community. The following supports my belief to revise or remove Motion 671:*

- 1. Motion 671 proposes fees that do not cover costs, and will cost shift an estimated \$30 million dollars in to healthcare throughout Wisconsin. This will have a major impact on the cost of healthcare in coming years.*
- 2. Motion 671 is inconsistent with other state and federal laws -- 45 CFR 482.24 (federal Conditions of Participation), HFS 124 (state medical record requirements), Joint Commission standards for completion of medical records, and HIPAA requirements.*
- 3. Motion 671, as written, contains misleading language; it does not appear it was adequately explained to the Joint Finance Committee, and there was no public comment period to respond, circumventing the required administrative rule process for setting medical record copy fees.*

Please, seriously consider these points. They are fully discussed in a memo sent to you on 6/12/09 from WHA.

Thank you for your consideration.